



## City of Arts &amp; Innovation

[utilities'] gross operating revenues." City Charter § 1204, subd. (f), currently allows a GFT in "an amount not to exceed 11.5%" of the utilities' gross operating revenues for the prior fiscal year. This language was approved by 74% of City voters in 1977. The City's voters have therefore approved the GFT at three separate elections.

The GFT provides an unrestricted revenue source to the General Fund. Together with other sources of General Fund revenue (sales tax, property tax, utility users' tax, etc.), they fund the basic governmental services provided by the City to its residents, business owners and visitors. These services include Police, Fire (fire protection and medical response), Parks & Recreation (Little League, AYSO and seniors' programs), Libraries and Public Works (pothole repairs, tree trimming and crossing guards). The GFT also supports clean water programs that among others, ensures water in our local storm drains is as clean as possible and protects water quality of the Santa Ana River. Water in the riverbed percolates into underground basins that are utilized for drinking water. Most of Riverside relies entirely on underground basins for its entire supply of drinking water. These programs are also critical to Riverside's efforts related to preservation of endangered aquatic and bird species that are found in the Santa Ana River.

The Water GFT currently provides approximately \$6 million, or just under 3% of the total General Fund budget. Losing this revenue source would require significant budget cuts from the services noted above. Making that task even more difficult is that the City is just beginning to recover from a significant and sustained economic recession that has already required General Fund cuts of approximately 15%. This has largely been accomplished without cutting public safety, the number one priority residents identified when asked about various City services. With an additional reduction associated with the loss of the Water GFT, it would not be possible to avoid cuts to public safety, as police and fire together represent approximately 63% of the total General Fund budget. Other services have already been scaled back to minimally acceptable levels, and the current effort has been to determine how best to begin restoring some of those cuts.

To maintain this critical general fund revenue, staff is recommending that the voters be provided a ballot measure at the June 4, 2013 election which would amend the Riverside City Charter to add section 1204.1 as follows:

**Sec. 1204.1 Water Utility Revenue.**

The revenue of the water public utility for each fiscal year shall be kept separate and apart from all other moneys of the City by deposit in the appropriate revenue fund and shall be used for the purposes and in the order set forth in Section 1204 and for the annual payment by the water utility into the general fund in twelve equal monthly installments during each fiscal year, an amount not to exceed 11.5 percent of the gross operating revenues, exclusive of surcharges, of the water utility for the last fiscal year ended and reported upon by independent public auditors. The proceeds shall be used to maintain local general fund purposes as the City Council may by budget or other appropriation direct, such as 9-1-1 response, police patrols/fire protection, children's after-school and senior/disabled services, and protect supplies of clean drinking water from contamination.

**FISCAL IMPACT:**

The estimated cost to place the ballot measure on the June ballot is \$85,000. Sufficient funds are available in the General Fund reserves.



Prepared by: Brent A. Mason, Finance Director/Treasurer  
Certified as to  
availability of funds: Brent A. Mason, Finance Director/Treasurer  
Approved by: Scott C. Barber, City Manager  
Approved as to form: Gregory P. Priamos, City Attorney

Exhibits:

- A. Resolution proposing an amendment to the City Charter
- B. Resolution submitting City Charter amendment to voters

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, PROPOSING AN AMENDMENT TO THE CITY CHARTER.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

Section 1: That the City Council, pursuant to its right and authority under California law, proposes that the City Charter be amended as shown in Attachment "A".

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
WILLIAM R. BAILEY, III  
Mayor of the City of Riverside

Attest:

\_\_\_\_\_  
COLLEEN J. NICOL  
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
COLLEEN J. NICOL  
City Clerk of the City of Riverside

05-2566.14 sw 2/28/13  
O:\Cyc\com\Wpdocs\D027\P015\00149473.DOCX

Attachment A

**Sec. 1204.1 Water Utility Revenue**

The revenue of the water public utility for each fiscal year shall be kept separate and apart from all other moneys of the City by deposit in the appropriate revenue fund and shall be used for the purposes and in the order set forth in Section 1204 and for the annual payment by the water utility into the general fund in twelve equal monthly installments during each fiscal year, an amount not to exceed 11.5 percent of the gross operating revenues, exclusive of surcharges, of the water utility for the last fiscal year ended and reported upon by independent public auditors. The proceeds shall be used to maintain local general fund purposes as the City Council may by budget or other appropriation direct such as 9-1-1 response, police patrols/fire protection, children's after-school and senior/disabled services, and protect supplies of clean drinking water from contamination.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF RIVERSIDE AN AMENDMENT TO THE CHARTER OF THE CITY OF RIVERSIDE, AT THE MUNICIPAL ELECTION OF JUNE 4, 2013.

WHEREAS, Riverside voters have already voted three times in the past to amend the City Charter to allow the City-owned water utility to transfer a fixed percentage of water fund revenues into the City's General Fund, which provides essential funding for community services such as police, fire, children's after-school programs, senior/disabled services, and local drinking water quality and supply protection; and

WHEREAS, this measure reaffirms the previous actions of Riverside voters so that the City can continue to exercise responsible budget practices as originally directed by voters and maintain current funding for essential City services without increasing taxes; and

WHEREAS, the City of Riverside needs to continue to fund water programs that increase our local supply of clean drinking water, allowing Riverside to remain water independent; and

WHEREAS, this measure does not increase water rates, and Riverside Public Utility water uses will continue to have among the lowest water rates of any water utility in the Inland Empire; and

WHEREAS, sixty percent of all 9-1-1 calls to the Riverside Fire Department require emergency medical attention, and this funding maintains rapid response times of our City's paramedics, firefighters, and emergency medical workers who are the first to respond and save lives; and

WHEREAS, in recent years, Riverside has dramatically reduced crime and improved local infrastructure in order to become a community where people desire to live and raise families, and without this funding the City will be forced to cut some basic services and may be faced with more gangs, graffiti and rundown streets; and

WHEREAS, Riverside County has almost 15,000 gang members, and this measure will allow our City police department to continue to dedicate officers to ensuring that gang members and drug dealers from nearby communities stay out of Riverside neighborhoods; and

1 WHEREAS, this measure ensures that over 4,000 City of Riverside children and youth will  
2 continue to have after-school and summer camp programs available to them, which will keep them  
3 off the streets and out of trouble; and

4 WHEREAS, this funding source, one of the four most important sources of revenue for the  
5 City, is critical for the stability of the City's budget for services and programs, and this measure  
6 ensures the City can continue its investments in such services as public safety, youth programs,  
7 senior/disabled services, and protecting supplies of clean drinking water from contamination; and

8 WHEREAS, this measure contains tough fiscal accountability by continuing to require  
9 annual independent financial audits, public review of expenditures, and ensuring that all funds  
10 remain local and cannot be taken by Sacramento – so that funds continue to be used efficiently and  
11 effectively; and

12 WHEREAS, Article XI, Section 3, of the Constitution of the State of California, Elections  
13 Code section 9255, and Government Code section 34458 authorize the City Council, on its own  
14 motion, to submit to the qualified electors of the City any ballot measure by ordinance or resolution  
15 proposing amendments to the City Charter at a regularly scheduled municipal election; and

16 WHEREAS, on January 15, 2013, the City Council adopted Resolution No. 22347, ordering,  
17 calling, providing for and giving notice of a General and Special Municipal Election to be held in the  
18 City of Riverside on the 4th day of June, 2013, to be conducted wholly by mail-in ballot in the City  
19 of Riverside for the purpose of electing four members of the City Council of the City of Riverside;  
20 and

21 WHEREAS, City Council wishes to submit a certain Charter amendment to the voters at the  
22 June 4, 2013, General Municipal Election.

23 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
24 California, as follows:

25 Section 1: The City Council, pursuant to its right and authority under California law,  
26 hereby orders that the following question be submitted to the qualified electors of the City of  
27 Riverside at the General Municipal Election on June 4, 2013, as referenced in Resolution No. 22347:

28 //

**Riverside Local Services and Clean Water Measure.** To maintain general fund services such as 9-1-1 response; police patrols/fire protection; children's after-school and senior/disabled services; and protect supplies of clean drinking water from contamination; shall Section 1204.1 be added to the Charter continuing the annual transfer of funds from the City water utility to the general fund approved by City voters in 1968, with independent audits, funds staying local and no increase in taxes?

Section 2: That no polling places will be secured as said election is to be conducted wholly by mail-in ballot. Official ballots will be mailed together with the sample ballot pamphlet and a postage prepaid envelope for return of the official ballot. Voted ballots must be returned to the Registrar of Voters Office or to one of the drop-off locations, at least one of which shall be located in each ward of the City. Voted ballots must be received by the Elections Official no later than 8:00 p.m. on Tuesday June 4, 2013.

Section 3: That only the qualified electors of the City of Riverside are entitled to vote at said election on this proposal to amend the City Charter and that if a majority of the qualified electors voting on the Charter proposal votes in favor of the proposal, said proposal shall be deemed approved.

Section 4: That the form and contents of the ballots to be used at said election shall be as provided by law.

Section 5: That in accordance with Section 10002 of the Elections Code, the Board of Supervisors of Riverside County are hereby requested to consent to the Riverside County Registrar of Voters rendering election services to the City of Riverside as may be requested by the City Clerk of said City, the County of Riverside to be reimbursed in full for such services as are performed.

Section 6: That the City Clerk shall have charge of all City elections pursuant to Riverside City Charter section 703(f).

Section 7: That the City Clerk is hereby designated the "Elections Official" for the purposes of this election pursuant to Elections Code section 320(b).

Section 8: That based upon the foregoing authority, the City Clerk shall have charge of



this election and shall make all determinations necessary to conducting this election.

Section 9: That the City Clerk of said City shall receive the canvass of the General Municipal Election and shall certify the results to the City Council, as required by law.

Section 10: The City Clerk is directed to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure pursuant to Elections Code section 9280, showing the effect of the measure on the existing law and the operation of the measure. The analysis shall be printed preceding the arguments for and against the measure.

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

WILLIAM R. BAILEY, III  
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL  
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

COLLEEN J. NICOL  
City Clerk of the City of Riverside



*Arts & Innovation*

# **Local Services and Clean Water Measure**

## **Finance Department**

**City Council  
March 5, 2013  
Item # 6**

**RiversideCa.gov**





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# Overview

- Riverside voters have already voted three times to amend the City Charter, allowing the publicly-owned water utility to transfer a small, fixed percentage of water fund revenues into the City's general fund
- The Local Services and Clean Water Measure:
  - Reaffirms these previous voter actions
  - Maintains current funding for essential City services, such as police, fire, children's after-school programs, senior & disabled services, and local drinking water quality and supply protection
  - *Is not a tax increase*



# Reaffirming Previous Voter Actions

- The voters of the City of Riverside have approved the Water General Fund Transfer (GFT) into the City's General Fund on three prior occasions:
  - The City Charter has included a General Fund Transfer since voters first approved the Charter in 1907
  - In 1968, the City's voters affirmed the funds transfer and set the GFT at 11.5% of gross operating revenues
  - In 1977, the City's voters slightly modified the language to indicate a transfer amount not to exceed 11.5%

# Support of Essential City Services

- Since 1977, the City has transferred up to 11.5% of the gross operating revenues of the Water Utility to the General Fund to maintain essential city services, such as:
  - Programs to protect local drinking water quality and supply
  - Neighborhood police patrols
  - Fire protection and emergency response



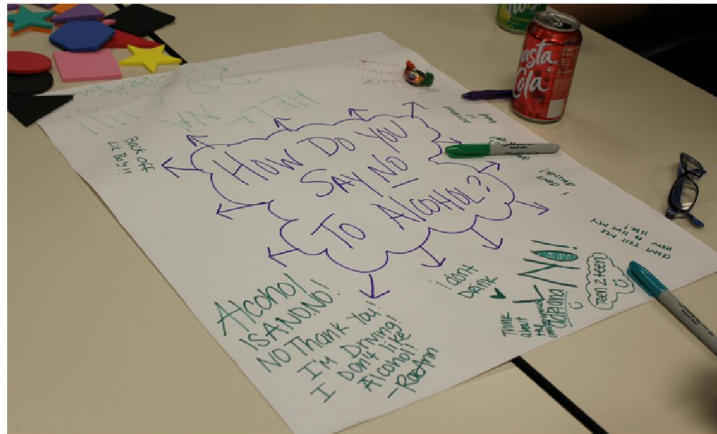


# Support of Essential City Services

- More essential city services:
  - Senior and disabled services
  - Drug and gang prevention / enforcement
  - Children and youth after-school programs
  - Pothole and street repairs
  - Youth violence prevention programs



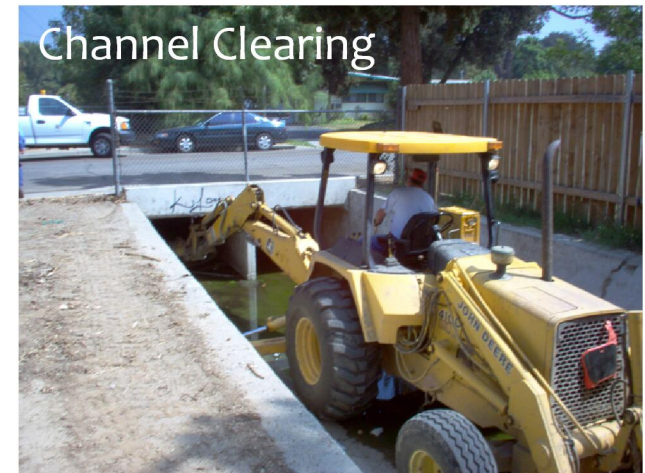
La Sierra Senior Center





# Protecting Clean Drinking Water

- Water GFT revenues provide funding for programs that protect local supplies of clean drinking water from contamination
  - Ensures that water in our local storm drains is as clean as possible
  - Protects the water quality of the Santa Ana River, which feeds underground basins utilized for drinking water
  - Most of Riverside relies entirely on underground basins for drinking water
  - Critical to efforts to preserve endangered aquatic and bird species in the Santa Ana River





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# Sound Fiscal Management

- These voter-approved practices are consistent with the City's tradition of fiscal responsibility, by:
  - Reimbursing costs the General Fund incurs related to the Water Utility
  - Reflecting a reasonable return on the investments made in the utility by the City and its taxpayers
  - A practice that contributes to the financial stability of the City and maintaining critical services



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# What is the Urgency?

- The Water General Fund Transfer is an important source of revenue for the City's General Fund
  - The 2012/13 General Fund budget totals \$220.7 million
  - The 2012/13 Water GFT totals \$6.6 million, or just under 3% of General Fund revenues
- Losing this critical revenue source would require significant budget cuts to essential City services
- Cuts would largely be made to police and fire as other programs have already been cut to a minimum level of service and public safety programs represent 63% of the General Fund budget



# Reduced Revenues for City Services

- In recent years Riverside's low crime rate and investment in local infrastructure have fostered a community where people desire to live and raise families
  - Without this funding, the City will be forced to cut basic services such as graffiti abatement, street maintenance, and youth & senior services





# Reduced Revenues for City Services

- The General Fund budget has been reduced by nearly 15% during the economic downturn
  - From a high of \$226.5 million in 2007/08 to a low of \$194.7 million in 2010/11
- While the General Fund budget has rebounded to \$220.7 million in 2012/13, services remain at 2010/11 levels
  - Increased revenues have largely been used to offset the loss of Redevelopment funding and the increased cost of doing business (personnel, materials, and supplies)

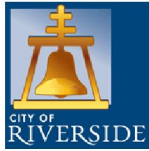


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# Proposed Ballot Measure

- To reaffirm past voter actions and continue the Water General Fund Transfer at its current level to maintain essential City services, a ballot measure is proposed for the June 2013 election
- No increase in taxes or water rates
  - Riverside Public Utilities water users will continue to have among the lowest water rates of any water utility in the Inland Empire
- No increase to the GFT rate
  - The measure would amend the City Charter to include section 1204.1 specifically describing the Water GFT and to ensure that the Water GFT remains at the current level
- This revenue source is protected from State takeaways, ensuring local control
- Requires fiscal accountability
  - Water GFT funds would be audited annually by an independent CPA firm



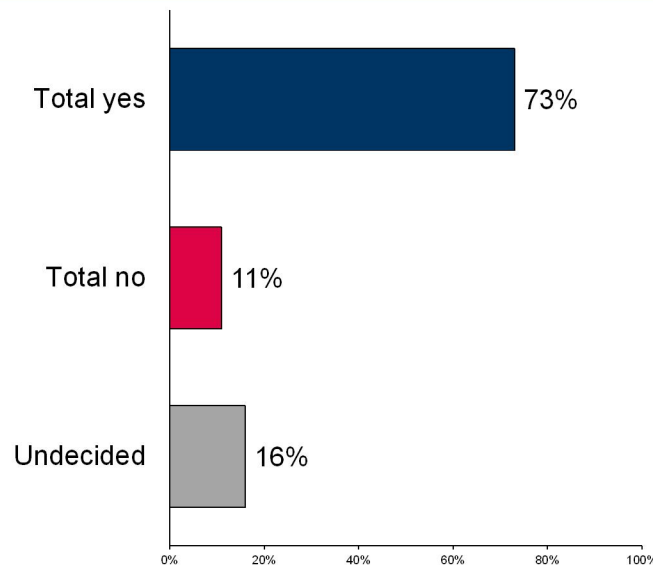


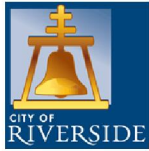
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# Community Opinion Survey

- An independently-conducted survey of 729 Riverside residents shows that after receiving educational information, a super-majority of those surveyed (73 percent) are supportive of a Riverside Local Services and Clean Water Measure to maintain essential services

## *Viability of an Informed View of a Local Services and Clean Water Measure*





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# Recommendations

That the City Council:

1. Adopt a resolution proposing an amendment to the City Charter entitled “The Riverside Local Services and Clean Water Measure”;
2. Adopt a resolution submitting the proposed amendment to the qualified electors of the City of Riverside at the municipal election scheduled for June 4, 2013; and
3. Authorize a supplemental appropriation of \$85,000 from the General Fund reserve to provide funding for the costs associated with placing the amendment on the ballot.

# CITY OF RIVERSIDE SPEAKER CARD

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.:

6  
Scott Simpson

NAME:

ward 1

DATE:

3/5/13

CITY/NEIGHBORHOOD:

PHONE # (Optional):

ADDRESS (Optional):

Address

City/State/Zip

SUBJECT:

☐

SUPPORT

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OPPOSE

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NEUTRAL

*In accordance with the Public Records Act, any information you provide on this form is available to the public.*

Pursuant to the City Council Meeting Rules adopted by Resolution No. 22131, the Members of the City Council and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the City Council and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the City Council or the presiding officer constitutes a violation of these rules.

CITY OF RIVERSIDE  
SPEAKER CARD

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ITEM NO.: 6  
NAME: Raychele Sterling DATE: 3-5-13  
CITY/NEIGHBORHOOD: \_\_\_\_\_ PHONE # (Optional): \_\_\_\_\_  
ADDRESS (Optional): \_\_\_\_\_ Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_  
SUBJECT: \_\_\_\_\_

☐ SUPPORT ☐ OPPOSE ☐ NEUTRAL

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**CITY OF RIVERSIDE  
SPEAKER CARD**

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ITEM NO.: 6 NAME: Dvonne Vitruzzello DATE: 3-5-2013  
CITY/NEIGHBORHOOD: WARD 2 PHONE # (Optional): 951 241 9443  
ADDRESS (Optional): 96 Box 2637 Riverside CA 92516  
Address City/State/Zip  
SUBJECT: \_\_\_\_\_

☐ SUPPORT ☒ OPPOSE ☐ NEUTRAL

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# CITY OF RIVERSIDE

## SPEAKER CARD

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IF YOU WISH TO ADDRESS THE CITY COUNCIL, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: 4

NAME: Karen Davis Wright

DATE: 3/5/2013

CITY/NEIGHBORHOOD: Ward 3

PHONE # (Optional): \_\_\_\_\_

ADDRESS (Optional): \_\_\_\_\_

Address

City/State/Zip

SUBJECT: The city has been ripping off citizens by overcharging on water rates from Frabstwing. It is pending to the city of Riverside strongly. Riverside

☐ SUPPORT

☒ OPPOSE

☐ NEUTRAL

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*This has lead to waste of money, excessive salary, and pensions. I am against the transfer. I am against putting*



CITY OF RIVERSIDE  
SPEAKER CARD

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ITEM NO.: 6 NAME: Joel Wadke DATE: 3/4/13

CITY/NEIGHBORHOOD: WARD 3 PHONE # (Optional): \_\_\_\_\_

ADDRESS (Optional): \_\_\_\_\_ Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

SUBJECT: Emergency met. ☐ SUPPORT ☒ OPPOSE ☐ NEUTRAL

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ITEM NO.: 6 NAME: Jan Davidson DATE: 3.5.13

CITY/NEIGHBORHOOD: Downtown PHONE # (Optional): \_\_\_\_\_

ADDRESS (Optional): \_\_\_\_\_ Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

SUBJECT: CCT

☒ SUPPORT ☐ OPPOSE ☐ NEUTRAL

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ITEM NO.: 6

NAME: FRANK LUDWIG DATE: 3-5-13

CITY/NEIGHBORHOOD: \_\_\_\_\_ PHONE # (Optional): 951-784-0112

ADDRESS (Optional): \_\_\_\_\_ Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

SUBJECT: \_\_\_\_\_

☐ SUPPORT ☒ OPPOSE ☐ NEUTRAL

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CITY OF RIVERSIDE  
SPEAKER CARD

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ITEM NO.: 6 DATE: 3/5/2013  
NAME: Terry Frizzell  
CITY/NEIGHBORHOOD: \_\_\_\_\_ PHONE # (Optional): \_\_\_\_\_  
ADDRESS (Optional): 11290 Arlington Ave Riverside, Ca  
Address City/State/Zip  
SUBJECT: \_\_\_\_\_

☐ SUPPORT ☐ OPPOSE ☐ NEUTRAL

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To City of Riverside: City Council, Mayor, City Manager, City Attorney and City Clerk

From: ~~JOE LUNAK~~, City of Riverside resident

Please accept this letter as a formal objection to item number 6 on the city council agenda dated March 6, 2013.

In this item you seek to adopt a resolution to propose an amendment entitled the "The Riverside Local Services and Clean Water Measure," that will be submitted to the voters at the June 4, 2013 election. This amendment seeks to continue to the 11.5 % transfer from the water fund to the general fund to pay for general services that are otherwise encumbered by general funds. You also seek funding in the amount of 85,000 to pay for the June 4, 2013 election.

I am opposing this council agenda item 6 for the following reasons:

1. The water fund transfer from the public utilities water department to the general fund to pay for any items other than water related purposes violates the State of California constitution and Proposition 218.
2. Item number 6 on the agenda should be put to the voters as a general fund tax and not a tax upon their water usage as a charter amendment.
3. Voters already pay for police and fire through property and sales taxes.
4. Proposition 172 was passed by the voters of the state of California to dedicate ½ cent sales tax of every dollar to secure funding for police.
5. The City of Riverside Finance Department does not keep accurate records of where this money is spent once it is transferred to the general fund.
6. The city of Riverside has a reserve of 40 million in funds and a cash pool and investments of over 450 million and therefore is not in an economic recession and has the funding to sustain general fund services without placing a burden upon the ratepayers for these services.
- X 7. This is a ~~tax~~ upon the water ratepayers leading to higher water utility rates and would create a severe quality of life burden on the neediest of our citizens, elderly, low-income families and fixed income citizens such as the disabled.
8. This tax upon high usage users and businesses would be detrimental to business in the form of higher utilities and could lead to job reduction.
9. Citizens would be forced to cut back on their water usage leading to less care and maintenance of their home and could lead to a quality of life issue of having unsightly properties that would attract crime and the cleanliness of our city.
10. Measure C is a property tax that is already in existence to pay for library services.
11. This proposal misleads the voter into thinking that water rates are by law linked to services of police, fire, libraries and other services that the city provides.

Please vote "NO" on item 6.

Received at meeting of: CC

Date: 3-5-13

Item No: 6



████████████████████

**From:** RegAffairs@aol.com [mailto:RegAffairs@aol.com]  
**Sent:** Sunday, March 03, 2013 4:16 PM  
**To:** Morton, Sherry; biokorium@earthlink.com  
**Cc:** tim@hjta.org  
**Subject:** 3/5/2013 council meeting agenda item 6, public comment

attached are my comments on the agenda item to place a ballot measure on the next election for voter approval to amend the city charter. My comments are contained in two letters submitted in 2011 to the charter review committee and the city. Additionally, Staff are not telling you and the public the whole truth.

They are lying by omission.

The general fund transfer (GFT) was declared unconstitutional by the California Supreme Court in a 1997 ruling on the validity of prop. 218. They gave you the opportunity to place a special tax measure on the ballot before November 8, 1998 for voter approval if you wished to continue collecting tax revenue upon the from water utility bills. The court upheld the constitutional language that prohibits a transfer of water utility revenue to your general fund. The court continued to say you have the authority to propose a special tax for voter approval that would effectively replace the transfer of funds with tax revenue. The general fund is only authorized to receive tax revenue. Your proposed ballot measure must be titled and described as a tax measure for voter approval.

City Staff have cleverly disguised an unconstitutional ballot measure as a mere re-approval of the 1977 city charter language in article 12.4. The city attorney approved this agenda item!

You must not approve this ballot measure. You took an oath of office to uphold the state constitution. You have knowledge and approval of this agenda item will be an overt and intentional act violating your oath of office, a punishable offense.

You may vote it down, withdraw it from the agenda, or direct staff to re-draft the proposed ballot measure as a special tax.

**RECEIVED**

MAR 4 2013

City of Riverside  
City Clerk's Office

December 19, 2011

The Charter Review Committee  
C/O the City Clerk  
City of Riverside  
3900 Main Street  
Riverside, CA 92522

Re: Removal of Unconstitutional Charter Language

Dear Committee Members,

Recently you have heard from the city several reasons for keeping the language in the city charter that authorizes the transfer of "up to eleven and one-half percent of the Utility Department's annual gross revenue to the City's General Fund" (GFTs).

Below are some very convincing reasons for removing this language from the city charter and recommending a special tax measure instead. All are based upon constitutional law and published Appellate and Supreme Court decisions. Some at the city may disagree with this rationale; however, it is derived directly from case law which has been handed down through the courts over the last 30 years. This case law clearly demonstrates a very strong and clear pattern of judicial support for various voter-approved ballot propositions, each of which placed new language into the constitution *to deny the authority of local government to impose "fees in lieu of taxes" (i.e., hidden taxes) without voter approval of a tax measure.*

Here are the reasons to remove the GFT-authorizing language from the City Charter:

### **1. Transparency in City Government**

Four voter-approved Propositions (13, 62, 218, & 26) have passed in statewide elections since 1978 to STOP municipalities from charging more than the cost of

providing municipal services on municipal utilities or Enterprise fund activities and thereby making unlawful profits. Cities have taken to simply calling a “tax” a “fee” in order to avoid a public vote of approval (i.e., fees in lieu of taxes).

**This is your issue: The lack of transparency in city government.**

Riverside has wrongly characterized its Utility Department as an “Enterprise Fund” in the annual budget in order to show a transfer of Utility Department revenue to the General Fund. In normal cases, this would be called a General Fund Transfer (GFT); but in this case, it is an unlawful tax. Incredibly enough, the annual audit(s) of the Utility Department’s financial performance and the annual city audit(s) has not detected this as a problem. *The city charter needs an independent **Inspector General** (rather than simply an independent auditor) with broader (budget) authority than is typically given an auditor to investigate any city operation(s) upon receipt of credible complaints/evidence.*

Proposition 13 is famous for its limitations on residential property taxes, yet it also added other important tax limitations upon local government. *Proposition 13 placed the definition of a “Special Tax” into the constitution (“any rate, fee or charge that exceeds the cost of providing the service” is a special tax).* As we saw with the recent vote to approve the City Library Tax (Measure I) last month, a special tax has both start and ending dates and is renewed by a new vote. After the passage of Proposition 13 in 1978, the state Supreme Court upheld that proposition's validity. **Yet the city did not immediately propose, nor has it ever proposed, a local ballot measure for a “Special Tax” on the gross revenue of the Utility Department as required by the constitution.** We all have been paying an unlawful tax since that time.

*The Utility Department budget has always contained the dollar amount of each annual GFT and the annual audit of the city budget showed it as well, up until 2010 when accounting procedures were changed in order to obscure the utility GFTs.* Ideally, a voter-approved Special Tax would appear as a separate line item on every city resident’s utility bill (as directed by the Supreme Court decision in the San Marcos Water & Sewer District vs. San Marcos School District case, 1986). In that case, the court created a “Bright Line Rule” that states, **“You cannot call a tax a fee simply to avoid the difficulty of levying a tax lawfully”** (summarized—I



left out the lengthy reprimand of local government that seeks to use word-crafted language for purposes of deceiving the public).

I cannot stress more the importance of transparency in our city government. The courts have ordered it. **Remove the GFT language from the charter and give us some transparency.** The city does not require this language in order to place a special tax measure on the next ballot or to maintain a balanced budget.

## **2. November 1998 Proposition 218 Deadline**

Proposition 218 passed in 1996 and placed new language in the constitution reinforcing the intent of the earlier Propositions 13 and 62, both of which were tax-related propositions. The Supreme Court, in response to the immediate challenges to 218, upheld it in its totality and stated that **all existing “fees in lieu of taxes” may only be continued beyond November 8, 1998 if they are re-approved as a tax measure by a vote in an election by November 8, 1998.**

(It should be noted here that Proposition 218 added Articles 13C and 13D to the constitution. Article 13C contains the definition of a Special Tax and is applicable to both the electric utility and the water utility. Article 13D applies to water but not electricity. Article 13D prohibits the GFT. Article 13C says a (electric utility) GFT is defacto a Special Tax requiring a vote on a Special Tax measure.)

The City of Riverside did *not* propose a vote on the General Fund Transfer as a special tax by the deadline. Therefore, on Nov. 8, 1998, the city's general fund transfer procedure became unconstitutional (again). In fact, language in Proposition 218 states that *“Any existing law or regulation in conflict (to Proposition 218) is rendered Null and Void upon passage of this act”*. This is the reason the Supreme Court ordered a one-year grace period for local government to comply with the voting requirements of Proposition 218. **The Charter language is a local law and it was clearly “Null and Void” as of November 8, 1998, because the city failed to propose a Special Tax measure.** Additionally, since the city did not act lawfully and place the issue for a vote, every city budget since that time has been unconstitutional. **Why wasn't this revealed or caught by the outside audit firm? We need an independent Inspector General with the budget authority to perform the independent audit.**

### 3. 2004 Charter Review

The city claims that the 2004 vote by the people to approve changes to the city charter effectively served to "re-approve" the entire charter, thereby preserving the original GFT-authorizing language. *This is misleading and false.* At that time (2004) the existing charter language allowing the Utility Department GFT had been already constitutionally "Null and Void" as of November 8, 1998. *The language should have been deleted from the charter by the City Attorney shortly thereafter; but it was not.* In addition, the 2004 Charter Review Committee legally should have discussed re-introducing the GFT language to the charter. If the Committee had done so, the lawful conclusion would have been to take the GFT language OUT of the charter and instead place a special tax measure on the next ballot. This should have been clearly detailed in the Charter Review ballot measure that was placed before the voters in 2004. This was NOT done and is NOT being done now--**this is a hidden tax. There is no legal justification for this GFT language to exist in the charter beyond November 8, 1998, because the constitution and the Supreme Court had already rendered it null and void.**

### 4. Appellate and Supreme Court Rulings on Fresno, a Charter City

In 2005 the California Appellate Court ruled in HJTA vs. City of Fresno. The court ruled that **"A charter city whose charter authorized utility GFTs prior to passage of Proposition 218 and did not seek the required vote by November 8, 1998 was levying an illegal tax after November 8, 1998."** This appellate decision was upheld by the Supreme Court by returning the original decision to the Appellate Court without modification. This was done just prior to the Supreme Court's ruling on the Bighorn Desert Valley View vs. Vijil, 7/24/2006.

The Bighorn decision upheld Proposition 218 in its totality and reversed an earlier (2001) lower court challenge to portions of Proposition 218. *Bighorn* reiterates that, (a) when a city's utility pricing is used to generate excess revenue for transfer to its general fund, this is *"unconstitutional fees in-lieu of taxes"* and that, (b) transferring non-utility costs from general government to the utility budget is also *"unconstitutional fees in-lieu of taxes."*

Municipal utility revenue can only include the recovery of costs of providing city services to its customers. **Cost recovery is all the constitution allows the city to**

**charge for utility services.** It is unlawful for a city to transfer the money *to any other use*. **A municipal utility is not a business-- it is a publicly-owned monopoly with constitutional limitations.** A voter-approved tax, however, *does* go to the city as a general fund deposit, which *by law* can only receive tax-generated revenues (property tax, sales tax, library tax).

## 5. The City of Riverside's Viewpoint

The City of Riverside believes that the state government code limits the city's liability in refunding these unlawfully-collected tax revenues; it believes that this is merely limited to the "last 12 months of billing receipts." Unfortunately, this is a great misstatement of the facts. In recent years the Appellate Courts have reviewed this issue and ruled that this government code limitation on repayment of unlawful tax revenue *only applies to billing errors*. When cities *intentionally* collect unlawful taxes, they are NOT protected under this section of the Government Code. One court showed mercy on a defendant city and allowed repayment of all improperly-billed charges (fees in-lieu of taxes) from the general fund back to the utility fund (from which it was unlawfully taken) and stated, "This will reduce the cost of municipal utility services for many years to come". Now, here's an interesting thought: *Shall we recommend this be done in order to provide a local economic stimulus?*

The city believes that it is immune from a civil class action lawsuit and thus would never have to repay anything but the last 12 months of receipts (described above). This, it believes, is in the State Government Code. Yet again, though, recent class action suits against local government utilities for improper billings (including "fees in-lieu of taxes") have provided diametrically opposite findings: these lawsuits have been certified by the courts, which have agreed with utility rate payers that *the government code exemption does **not** apply to local government*. *Moreover, the courts have agreed that a class-action suit requires repayment to the injured class in full.*

Our city has let this issue slide under the radar, hoping that a lawsuit would not occur. Our city has gambled based upon the "best" leadership and legal advice it decided to follow. *The City of Riverside thereby has denied and continues to deny its residents/voters the constitutional right to vote on issues of taxation.* By so doing, it has denied residents the use of an incredible amount of their money that

could have saved many homes from foreclosures—had the monies been available to our local families.

## 6. **Unconstitutional Utility Rate Increases by the City of Riverside**

On October 2006 the City passed an unconstitutional 50% Utility Rate increase to generate millions of dollars--over the next five years--of new tax revenue annually to pay the annual debt load planned for the \$1.5 billion "Renaissance." Most, if not all, of that borrowed money has already been spent. Therefore, the annual debt service load upon the city ratepayers/taxpayers is now at its maximum, with annual payments from the city to investment banks being in the tens of millions of dollars. **On average, Riverside utility customers are paying approximately \$1100 per year hidden tax on their utility services.**

The California Courts have ruled on the issue of local government entering into instruments of borrowing (including Certificates of Participation, or COPs) from several angles. They have ruled that **"The act by any local government of entering into any form of contractual debt, including Sale/Leaseback agreements such as Certificates of Participation, places a "New Demand" for additional tax revenue upon the public. Therefore, a vote of approval by the public or property owners is required before a local government can lawfully enter into any instrument of debt."** In this matter the courts spoke directly to the public on the absolute need of transparency in public finance matters as a matter of law.

The city has told you, the Charter Review Committee, that the U.S. Constitution has a "contracts limitation clause" that protects the validity and life of any existing legal contract that is affected by a change of law. This is true in part and this is also the reason the city recently refinanced all the 2008 COPs to Utility Revenue Bonds. *But what the COPs did is to mortgage city-owned properties (libraries, fire stations, police stations).* What's now happening is that the contractual debt load is "locking in" the current high levels of utility rates (higher rates that generate higher GFTs) such that **they will never be reduced—because the city is dedicated to paying off the "Renaissance" debt over the next 30 years.**

Over the past few months, my letters to the Committee have presented many arguments that lead to the conclusion that the city's contractual agreements of



From The Desk of  
Scott Simpson

debt are not legal. **The protections of the U.S. Constitution do not apply to illegal contracts or contracts that are funded with illegal revenue or are entered into for unlawful purposes.** This includes violating the state constitution.

**The City of Riverside is not exempt from the intent and application of the constitution or our court rulings on constitutional law.** It is clearly misleading to state otherwise. Charter cities are specifically included by reference in these rulings in order to halt the illegal taxation of utility ratepayers by denying people their right to vote.

I trust that you will agree to formally:

- (a) Recommend the removal of the unconstitutional language from the city charter;
- (b) Recommend a vote to approve a Special Tax measure to secure future General Fund revenue;
- (c) Recommend new charter language that would transfer all illegally-obtained GFT monies (retroactive to 1998) to the Utility Fund from which they came;
- (d) Require a reduction of utility fees, rates and charges to 1997 levels;
- (e) Recommend that the city hire an independent Inspector General in order to bring transparency to our city government.

Sincerely,

Scott Simpson  
2750 Orange Street  
Riverside, CA 92501  
(951)369-8511

From the Desk of Scott Simpson.

June 20, 2011

The Charter Review Committee

C/O The City Clerk

City of Riverside

Honorable Committee Members,

In performing your task of reviewing and updating the city charter it is important to remember that the California Constitution is an evolving document. In the last 30+ years many changes have been made by statewide voter approval of initiatives. In my reading of the city charter I have discovered that some voter approved constitutional amendments placing restrictions upon local government have not been properly or completely included in the city charter. These constitutional changes have rendered sections of the city charter "Null and Void" and yet the charter remains unchanged. It is our duty to correct these mistakes and make provision for more immediate change to the charter when the constitution or law changes. I have identified a few below.

Proposition 13 (1978), defines a "Special Tax" and requires 2/3 voter approval of a special tax measure by ballot. A Special Tax is any amount above the cost of providing a (municipal) service, including development fees, building permits and municipal utility rates, fees and charges. This should have brought to an end- The general fund transfers from the utility department to the city general fund (Article 12 City Charter). The city has admitted to this in some documents but, continues to state that, we will make these transfers until we are sued by its citizens. Special taxes are imposed for a specific reason and the revenues are held in dedicated accounts pending budget authorization. We have maintained unlawful utility rates, fees and charges that resulted in unlawful general fund transfers since 1979. We can erase this liability by returning the transferred money back to the utility department or direct the general fund to take over utility debt payments of an equal value (including interest accrued).

Proposition 62 (1986), restated the definition of special tax and included a definition of general tax plus other definitions and requirements of voter approval on issues of taxation.

Proposition 218 (1996), titled the "Voters Right to Vote on Taxes Act" provides rights to the people and again restates and provides clarifying language that limits local government from using fees as taxes (a.k.a. "fees in lieu of taxes") by providing that all forms of taxation must be approved by the voters. Property assessments must be approved by the property owners

From the Desk of Scott Simpson.

affected or by voters at a regularly scheduled election. Property Assessments are to be used for recovering the capital cost (including debt service) of new or replacement infrastructure (real construction of improvements to land such as, underground utilities). This proposition reaffirms the prohibition of fees in lieu of taxes. The Utility department general fund transfers are specifically prohibited by this proposition. The city mistakenly believes that if it loses in a law suit the government claims act will only allow award of 12 months of overcharges on the utility bill. In 2009 a class action lawsuit was certified on this very argument over water fees in lieu of taxes. The payout was approximately \$300 million. Proposition 218 requires that all conflicting constitutional language or laws are rendered null and void upon the effective date of the proposition. The city writes in its documentation that this proposition could end the practice of general fund transfers but, chooses to continue the practice until the citizens sue to stop the practice. . We have to view this as a serious liability and threat to the future of the city.

Proposition 26 (2010), bolsters prop 218 and adds more language further specifying when a fee is a tax and the voter requirement to approve taxes. The city has no authority to bill fees, rates and charges for any city service that exceeds the cost of providing the service including revenue transferred to the general fund. The city must demonstrate via annual cost accounting that the established fees are not exceeding the actual cost and that the money remains in dedicated accounts for expenditure in the following budget cycle.

We have a duty to make the necessary language changes for the city charter to attain conformity with the state constitution. Article(s) 7, 8, 11, 12 and others will require language changes. I will be submitting recommendations in the near future. Meanwhile, the 2012 city budget is fatally flawed with approximately \$70 million of unconstitutional general fund revenue.

Sincerely,

Scott Simpson

regaffairs@aol.com

City Council 3/5/2013

**RECEIVED**

MAR 5 2013

City of Riverside  
City Clerk's Office

Mr. Mayor, Members of the Council, I am Scott Simpson, Ward I.

City Staff members are not informing you or the public that this resolution to amend the city charter is actually a Hidden Property Tax Measure. They have carefully crafted the language to give the impression that authorizing the accounting maneuver known as a "General Fund Transfer" is anything but a vote to add a new hidden tax to everyone's water bill. It is a new property tax in violation of our constitutional language known as Prop. 13. The history of Water and law are very unique in Riverside. In Riverside the "Water is supplied to the land and is fixed to it in perpetuity in the same amount and quality as was originally delivered". The land holds an entitlement to an annual water allotment per parcel fixed in time and guaranteed in perpetuity whether delivered by ditch, canal, or piping system. "The water goes with the land" and the contractual obligation to supply it continues to all successor owners of the land and the original canal company including a municipality forever. All of your water customers are required to pay the same price for water



service. The price derived only from the annual operating and maintenance expenses of the water utility infrastructure via a flat rate. This is the law of the land expressed in the November 1880 California Supreme Court Decision known as Price v. the Riverside Land & Irrigation Co. It remains a current published case and "good law" and can be found on the California Supreme Court website.

Management Staff are asking you to violate your oath of office to uphold the state constitution, an unconscionable act. The City Manager, City Attorney, and Public Utility Director should be terminated for putting you in this position, intentionally lying by omission and proposing a ballot measure to approve unconstitutional language in the City Charter. This agenda item is not about city services or clean water. It is about misappropriating funds from the water utility and spending it on unrelated city expenses. Article 13D of the state constitution prohibits this. The state Supreme Court has upheld the ban in several rulings and has said, "The act of transferring water utility funds to the general fund is an act of taxation--an unlawful tax. You must act in compliance with the State Supreme Court analysis of the Constitution.

**From:** K Wright [mailto:twodogkd@yahoo.com]

**Sent:** Tuesday, March 05, 2013 6:25 AM

**To:** Morton, Sherry; Gardner, Mike; Melendrez, Andy; Gutierrez, Ken; Davis, Paul; Adams, Steve; Barber, Scott; K Wright

**Cc:** Dan Bernstein; arobinson@pe.org; rhernandez@iweekly.com; dolson@pe.com

**Subject:** Karen Doris Wright's written comment for the public record for March 5 6:30 City Council Agenda including against Item 6 and item 8 Public Comment. The Ecomment feature is poorly set up and designed to discourage comments and also seems to be set up...

To Colleen Nicole, City Clerk, to City Council, City Manager, Dan Bernstein, Alicia Robinson

From Karen Doris Wright

Purpose: Karen Doris Wright's written comment for the public record for March 5 6:30 City Council Agenda including **against Item 6 (see comments below) and item 8 Public Comment**. The Ecomment feature is poorly set up and designed to discourage comments and also seems to be set up to give FALSE RESULTS. it allows only the briefest of comments thereby denying citizens the ability to make specific comments and in particular comments that point out the Council is doing something against the best interests of citizens and why the Item is against Riverside Citizens best interest. Citizens are also do not have sufficient characters to make suggestions to improve or make changes to an item.

Overall, except for those who want to agree and appaud an item in a few words, the Ecomment feature is a joke and set up to STOP people from commenting by making it difficult to find the actual ecomment page, and if you happen to find it to make it hard to give comments and allowing only severely restricted comments which deny citizens the right to give even brief comments Items. Designed to restrict negative comments. Designed basically to accept folks who want to say approve, and to deny citizens who have issues to even describe briefly two of three points.

(1) First there USED TO BE a DIRECT LINK one could go to to do Ecomments. It was this link which is no longer a working link to give comments

Give YOUR **public Ecomments** on City Agenda

items [http://riversideca.gov/city\\_clerk/ecomment.asp](http://riversideca.gov/city_clerk/ecomment.asp)

RESTORE A DIRECT LINK. That link should use the riversideca.gov format, and should be simple for ease of use.

If the City wants people to use ecomments, the link NEEDS TO BE SIMPLE so people can easily refer citizens to that link.

(2) Citizens should be able to comment ON ANY ITEM NUMBER listed on the City Council agenda. The City Council/or whoever should NOT BE ABLE TO PICK AND CHOSE what citizens may comment on. For example on the March 5 City Council agenda citizens are not allowed to comment on all items such as PRESENTATION ITEMS 3 and 4 but are allowed to comment on PRESENTATION ITEM 5. This is a practice and pattern of the Riverside City/Council to selectively decide what we may comment on. This email is about the Ecomments, but during Council meetings the Council also selectively decides what we may verbally comment on.

For example we may verbally comment on come REPORTS but not others. That said, when we are denied the right to comment, the Council itself will make comments and ask questions on the items citizens are denied the same right to comment on. Again it has been the practice and pattern of Riverside City Council to discourage comment on most everything on the City Council agenda.

(3) There is currently NO DIRECT link one can use to go to give an Ecomment

(4) The Ecomment Link at the top right corner of the City Council Perpetual

Agenda [http://www.riversideca.gov/city\\_clerk/agenda.asp](http://www.riversideca.gov/city_clerk/agenda.asp),

does NOT take one directly to the current ecomment page. Instead it leaves one on a very confusing

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MAR 5 2013

City of Riverside  
City Clerk's Office

page where it is not clear without study how to find the ecomment page.

If one clicks on Ecomment on the top of the agenda, one is taken to this page [http://riversideca.granicus.com/ViewPublisher.php?view\\_id=2](http://riversideca.granicus.com/ViewPublisher.php?view_id=2). It is NOT the Ecomment page, but it is a confusing intermediate page where one must find ANOTHER ECOMMENT LINK to go to the actual page where one can click to comment on the different agenda items. That Ecomment link is NOT obvious but is essentially hidden on the page and does not show as a CLEAR link that can be clicked.

This page [http://riversideca.granicus.com/ViewPublisher.php?view\\_id=2](http://riversideca.granicus.com/ViewPublisher.php?view_id=2) is confusing and includes information about achieved videos, Windows Media Player, Streaming video support, Upcoming Events, Archived Videos with a confusingly named link which would be HARD to remember or tell people about Ecomment link.

When you do find the ecomment page it is a pop up page which has no direct link that can be saved to find that page again, or to share that link with the public so they may easily go to the ecomment page to comment.

(5) When you do get to the POPUP ECOMMENT it does not let you comment on each and every item listed on the agenda. While the Council and City staff may not think this is important, citizens should have a right to have a say on any matter listed on the agenda in my opinion. For example on March 5's agenda citizens may only comment on the items listed below in BLACK INK.

1. Mayor Bailey recommends appointments to various City boards and commissions (All Wards)

Comment

5. Economic Success report - Hays Construction, Inc. (Ward 1)

Comment

6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)

Comment

7. A Resolution of the City Council of the City of Riverside, California, authorizing the execution and delivery of a Master Lease Purchase Agreement for \$4,991,250.34, Lease Schedules, Declaration of Official Intent, and related instruments and documents, and also determining other matters in connection therewith for refinance of three capital leases, fire truck, ProjectDox, and Fire Department Records Management and Police Department Computer Aided Dispatch systems - Waive further reading - Supplemental appropriation (All Wards)

Comment

8. Public Comment Period - This is the portion of the meeting specifically set aside to invite your comments regarding any matters within the jurisdiction of the City Council - Individual audience participation is limited to 3 minutes and you will be asked to state your name and city of residence. Please complete and submit a speaker card to the City Clerk.

Comment

9. Reimbursement of \$2,200 for attorney fees and costs associated with code enforcement action and property rehabilitation - 1824 Enterprise Avenue - Supplemental appropriation (All Wards)

Comment

10. Reimbursement of \$900 for attorney fees and costs associated with code enforcement action and property rehabilitation - 8904 Haskell Street - Supplemental appropriation (All Wards)

Comment

11. Reimbursement of \$1,200 for attorney fees and costs associated with code enforcement action and property rehabilitation - 3396 Inverness Street - Supplemental appropriation (All Wards)

Comment

12. Minutes of February 25 and 26, 2013

Comment

13. Utility Services/Land Use/Energy Development Committee recommends Power Resources Risk

Management Policies including Energy Risk Management Policy, Wholesale Counterparty Risk Management Policy, and Authorized Transaction Policy (All Wards)

Comment

14. First Amendment to Agreement with The Braun Company for \$16,800 increase from Economic Development Account for economic development consulting services and term extension through June 30, 2013 (All Wards)

Comment

15. Case P10-0366 - Annie Jolie-Nolan of Dollar Financial/Money Mart - Adopt an Ordinance of the City of Riverside, California, amending the Zoning Map of the City of Riverside pursuant to Chapter 19.090 of the Riverside Municipal Code by rezoning land from Zone O to Zone CR-S-1-X-20 - Waive further reading - 3501 Adams Street (Intro. on 7-13-10, Ward 5)

Comment

16. A Resolution of the City Council of the City of Riverside, California, declaring its intention to exchange and discontinue use of a portion of park land known as Fairmount Park, located at 3105 Redwood Drive, Riverside, California, with the vacant property owned by the Housing Authority of the City of Riverside located at 2555, 2565, 2567 and 2585 Fairmount Court and 2627 Fairmount Boulevard, Riverside, California, and setting the date, hour and place of hearing on the same - Waive further reading - Schedule public hearing for 3 p.m., on April 16, 2013 (Ward 1)

Comment

17. 2012 Homeland Security Grant of \$67,000 and agreement with County-Wide HazMat Operations Group for hazardous materials incident training, personnel overtime, backfill, and equipment - Supplemental appropriation (All Wards)

Comment

18. Award Bid 7139 to BMW Motorcycles, Riverside, for \$74,978.19 from Police Asset Forfeiture Account for three BMW Police Traffic Motorcycles with emergency equipment (All Wards)

Comment

19. High Voltage Electric Service Agreement with Kaiser Permanente through December 31, 2015 - 10898 Magnolia Avenue (Ward 6)

Comment

20. A Resolution of the City Council of the City of Riverside, California, waiving the formal bidding provisions of Section 1109 of the Charter of the City of Riverside under the utilities project exception therein for the selection of a qualified panel of contractors including E.J. Meyer Company, C.P. Construction Company, Inc., Utah Pacific Construction Company, Charles King Company, SCW Contracting Corporation, and Hemet Manufacturing Company, Inc., dba Genesis Construction, for projects up to \$200,000 from Public Works Department Sewer and Storm Drain Funds for work involving sewer and storm drain pipeline and appurtenance repair on an as-needed basis through December 31, 2015 - Waive further reading (All Wards)

(6) When you click a specific Item Number to comment, IT HAS ALREADY CHECKED and filled in the individuals position on an item number as NEUTRAL. It is INAPPROPRIATE to have this PRE FILLED IN as **NEUTRAL** it will lead to FALSE OUTCOMES of what an individual's position may be. Individuals filling out this information should be ALLOWED TO FILL IT OUT or LEAVE IT BLANK. For the City of Riverside to fill in NEUTRAL is to continue the practice and pattern of the City of Riverside to NOT WANT TO HAVE ANY NEGATIVE COMMENTS, and having the CITY WEBSITE AUTOMATICALLY fill in the individuals answer as NEUTRAL is part of the City deception that all is well with what the Council does when in fact it really is not well, citizens are simply uninformed about what is happening in the City of Riverside.

(7) The fields shown in ITEM 8 should be blank and should NOT have the answers of whoever filled the form in previously.

(8) That said NO EMAIL FIELD should be required:

- Some citizens, about half, have no email accounts and do not use email

- For those who have email, they should NOT be forced to give up their privacy and their personal email in order to comment on City Council agenda items
- **The Email Field should be CLEARLY LABELED as an OPTIONAL FIELD.**
- Folks who chose to share their email may do so.

(8) For each question one wants to comment on, one would need to repeatedly fill out the following questions. In an electronic world c

**KDWNNOTE:** All fields should be cleared and BLANK when a new person goes to comment.

**KDWNNOTE:** The setup of these Ecomments are designed to discourage comments on more than one item, because citizens would be forced to reenter whatever information is required, over and over again. To me it seems that the Ecomment is DESIGNED specifically to discourage comments

- Name guest
- Email **The Email Field should NOT be a REQUIRED FIELD and should be labeled OPTIONAL**
- Address **This should be an OPTIONAL FIELD and should be labeled as an optional field. I believe it is NOT mandatory to give ones address to give comments at City Council. By listings one's address you are establishing a DETERRANT to citizens giving comments. Some/Many citizens fear retribution if they speak out. A number of citizens have told me over time that they feel that the city has taken actions against them because they dared to say that the City or City Council's actions or inactions are NOT in the best interests of the Citizens.**
- City San Francisco
- State California
- Zip Code 94107 **KDWNNOTE: The Zipcode Field should be optional not all know their zip code.**
- Neighborhood **KDWNNOTE: The Neighborhood Field should include an OTHER NEIGHBORHOOD FIELD with a blank so citizens can use their own designation for their neighborhood.**
- Select a Position Neutral
- Comment (limited to 500 characters) **KDWNNote if the text you type/paste in exceeds the 500 limit you cannot tell by how much such as the first 500 characters are in black and the excessive characters are in red. This makes it extremely difficult and time consuming to be able edit down or fit your comment on the website. IT IS A WAY TO DETER COMMENTS.**

The severe limit on characters to 500 essentially denies citizens the right to make even address the simplest points. It is the practice and pattern of the City of Riverside, in my opinion to DETER comments that question or challenge what the City does. For example the comment below on March 5 City Council Agenda Item 6 regarding putting transfer of 11 percent of water monies to the general fund WOULD NOT FIT as being TOO LONG in excess of 500 characters

COMMENTS THAT DIDN't FIT



AFTER EDITING IT DOWN ALREADY

STILL TOO LARGE

*STRONGLY AGAINST trnsfr of 11 % of water monies to the general fund, as NOT in the best interest of citizens. Residential customers are OVERTAXED so the city may transfer extra money into the gen. fund, result is wasteful spending. Riv. lacks careful review & control over spending. Council needs stop it's excessive spending & borrowing. Stop this to force Riv Council to reduce its excesses, such as Council approval of excessive salaries & benefits which cannot be sustained , even tho residents who pay taxes to support these expenditure have no retirement/no health benefits themselves and live on low income/salaries.*

WORD SAYS THE ABOVE PARAGRAPH contains

- 101 words
- 523 characters not counting blank spaces
- 629 words counting the blank spaces

ANOTHER ATTEMPT

TO EDIT DOWN COMMENTS

*STRONGLY AGAINST trnsfr of 11 % of water monies to the general fund, as NOT in the best interest of citizens. Residential customers are OVERTAXED so the city may transfer extra money into the gen. fund, result is wasteful spending. Council needs stop it's excessive spending & borrowing. Stop this to force Riv Council to reduce its excesses, such as Council approval of excessive salaries & benefits which cannot be sustained , even tho residents who pay taxes to support these expenditure have no retirement/no health benefits themselves and live on low income/salaries.*

Counts for above text.

Counts for above text according to WORD.

79 Words

403 Characters with no spaces

485 Characters with spaces

***IN SUMMATION the Ecomment program being used by the City, overall, IS A VERY BAD, USER UNFRIENDLY PROGRAM designed to discourage much of any comment other than to let folks say YES WE AGREE. If you DISAGREE you are NOT allowed to tell the City Council why you disagree using Ecomment program.***

***Ecomment says you have 500 characters but in fact Ecomment only provides one 500 count of BOTH characters and blank spaces. That said Ecomment did not count correctly and actually gave fewer spaces based on the counts used by the WORD program. As shown above I was only able to get 79 word and 403 characters, so they mislead citizens by FALSELY telling citizens that they may use up to 500 characters when in fact that includes blank spaces.***

***Also the City should CLEARLY LABEL the EMAIL/ADDRESS/ZIPCODE ECOMMENT fields as OPTIONAL***

- 
- 
- (one may not type the neighborhood as BY THE NAME THEY USE FOR THEIR OWN

NEIGHBORHOOD but is asked to pick the name of an UNDEFINED neighborhood specified list names as CITY as decided to divide up and name areas neighborhoods. This may not be how citizens see their areas. Also it lists Eastside twice in this list. The neighborhood list includes one called **Soma** which seems to be an undefined acronym and who knows where that area is. In San Francisco that would mean the South of Market street area. The neighborhood list includes one called **Test**. The neighborhood lists includes one called **Mission Center** and a separate one called **Mission** which I had not heard of before. San Francisco has a Mission District but I don't know what Mission Center would mean in Riverside nor do I know a Riverside neighborhood called **Mission**

There should be an

**Other Neighborhood Category** fill in the name

where citizens can fill in the NAME of their area, neighborhood as they know it or think of it.

It reduces citizens from OUTSIDE the City limits to a neighborhood called **Outside City Limits**. I think it is important to know where those folks are from such as whether those comments are from our neighbors and people who work/shop/visit Riverside like folks from Jurupa Valley, Moreno Valley, Norco, etc AS OPPOSED to citizens from outside the County or outside the State.

I believe that the City and

On the question I visited, the text in red was prefilled out on the form

[http://riversideca.granicus.com/ViewPublisher.php?view\\_id=2](http://riversideca.granicus.com/ViewPublisher.php?view_id=2)

BELOW is what I copied on the above page. Please note that while the links below show as BLUE LINKS, that is NOT how they show on the City webpage, the text that are links are NOT highlighted in blue and they are NOT underlined, that text is shown as black unbolded text and does not appear to be links..

Archived videos are arranged by date, with the most recent at the top of the list. Click **Video** to watch the meeting with documents, or **Agenda / Minutes** to see just the documents. You can also search the archives by typing keywords into the Search box.

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The minimum system requirements for watching the Archived video [are available here.](#)

Streaming video support

## Upcoming Events

**Name** **Date**

City Council March 05, 2013 - 2:00 PM [Agenda](#) [eComment](#)

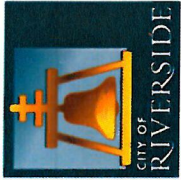
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<b>Name</b>	<b>Date</b>	<b>Duration</b>				
●City Council/Successor Agency	02/26/13	03h 20m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council/Housing Authority/Parking Authority/Successor Agency	02/19/13	03h 32m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council	02/12/13	02h 14m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council and Public Financing Authority	02/05/13	03h 29m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council	01/22/13	04h 48m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council	01/15/13	05h 32m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council and Successor Agency to the Redevelopment Agency	01/08/13	02h 44m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council	12/18/12	06h 11m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council	12/11/12	04h 12m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>
City Council	12/04/12	02h 48m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	
City Council and Housing Authority	11/27/12	01h 31m	<a href="#">Agenda</a>	Video	<a href="#">MP3</a>	<a href="#">MPEG4</a>



*City of Arts & Innovation*

**Public Comment for March 5, 2013**  
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Item	Name	Position	Comments
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Neutral	I am a firefighter at Fire Station #3 next to the plaza and have been with the department ten years. I am asking that this issue be placed on the ballot and hope our Mayor and Council are aware that this amendment will be critical to continuing the level of public safety that we currently have in Riverside.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Neutral	I am a member of the fire dept. and knows this needs to be on the ballot to continue our level of public safety for our city!
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Neutral	I am an employee of the City Fire Department and I feel that this should be place on the ballot.

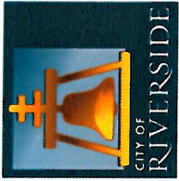




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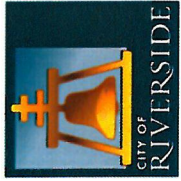


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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	As a business owner and resident of the City of Riverside, I agree with this agenda item.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	Please place on the ballot as it is critical to help maintain our current levels of public safety. Thank you.

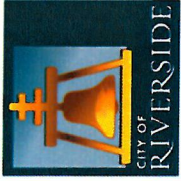




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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	This is critical to our public safety
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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	Hello, being a member of the Fire department I would like to be placed on the ballot, Thanks, Josh
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I am a former resident of the city and current employee of the Fire Department. I am in full support of this measure and recommend its passing. It is critical in providing necessary support of emergency services in this large city. With the recent Jurupa fire and assault on our Police officers this City cannot afford to lower its service levels. If necessary it should go to ballot.





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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	In an era of diminishing resources for our critical local government services, now is not the time to eliminate existing revenues that fund those services. This proposal does not raise taxes, maintains resources for important public safety services, and preserves the intent of having a community owned utility. I am proud of our city and the way we have effectively invested in our community. I ask that you allow the voters to weigh in on this important issue.





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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	The continuation of this transfer is critical to continue the level of Fire Protection in the City of Riverside. I absolutely support placing it on the ballot and urge all members of the public to vote yes.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I would like to see this Item placed on the ballot.



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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I support the water fund transfer from the Public Utilities to the general fund.

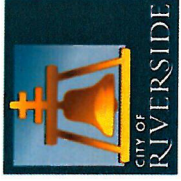




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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I support this initiative. Please vote to put it on the June ballot and let the voters voices be heard.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I am a member of the Fire Department and would wish to have the initiative placed on the ballot and not jeopardize the public safety of the citizens of this city.



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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	The city desperately needs this revenue source.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	As a life long resident and city employee I support this agenda item.





City of Arts & Innovation

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**City Council Meeting**  
**Prepared by the City Clerk's Office at 2 p.m. on March 5, 2013**

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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I live in and work for the city. I support this agenda.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I am a nearly 20 year employee of the City of Riverside Fire Department. I support the resolution to place the proposal for the reinstatement of the water public utility revenue transfer. All City of Riverside Departments have taken cutbacks in the recent years and the Fire Department is no different. Without these funds going to the General Fund it will be increasingly difficult to maintain the service levels the citizens of Riverside deserve from their Police & Fire departments.

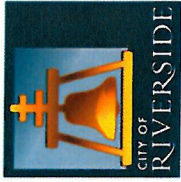




City of Arts & Innovation

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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I am an employee with the fire dept and Im asking that the initiative be placed on the ballot. This admendment will be critical in providing the level of public saefty that we currently have in Riverside.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I am a Riverside City Fire Department employee of about 20 years. I strongly urge the passing of the resolution placing the proposed water public utility revenue transfer to the General Fund. Just like all City of Riverside Departments the Fire Department has already taken a number of budgetary cuts. So far, these cuts while difficult have not drastically reduced fire and emergency medical services. Without these funds it will become even more difficult to provide the same level of service.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	I am a employee of the City of Riverside Fire Department and I strongly support item 6. It would be a great benefit for the citizens of Riverside and ensure the quality of public safety. I would also like to be placed on the ballot. Thank you.



*City of Arts & Innovation*

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6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	As a firefighter for the City of Riverside I am asking to be placed on the ballot. Supporting this item will help ensure the quality of public safety and city services.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	As a firefighter with the City of Riverside I strongly support this as it will benefit the citizens of our city.
6. A Resolution of the City Council of the City of Riverside, California, proposing an amendment to the City Charter to reauthorize water public utility revenue transfer not-to-exceed 11.5% to General Fund - A Resolution of the City Council of the City of Riverside, California, submitting to the qualified electors of the City of Riverside an amendment to the Charter of the City of Riverside at the municipal election of June 4, 2013 - Waive further readings - Supplemental appropriation (All Wards)	guest	Support	As a member of the City of Riverside Fire Department, I support placing the measure for the water utility transfer on the ballot. The funds generated help provide essential public safety services to the citizens and allow public safety to continue to provide training opportunities to its employees in order to maintain a higher level of service.





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**City Council meeting date: 3-5-13**  
**Item No.: 6**

**From:** Tom Ross [mailto:tomzuma@att.net]  
**Sent:** Wednesday, March 06, 2013 8:18 AM  
**To:** Bailey, Rusty  
**Subject:** Water fund transfer

Mr. Mayor:

I read today that you have received "mostly" positive comments about the transfer of funds from the water customers. Here is one that is not.

We have a nice, estate sized lot in the La Sierra hills. Although most of it is xeriscaped, our monthly water bill is mostly at the top tier. I will not address this unfair inequality now, but I must point out that the transfer of these funds to the city general fund places an unfair burden on me and my family. We do not use "city services" to any more degree than any apartment dweller. If you need more tax money either ask the voters for it per State law, or tighten your belt.

Sincerely, Tom Ross  
Riverside resident for 46 years